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Attorney for Defendant, SALEUMKIAT KAYARATH

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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|------------------------------------|---|----------------------------|
| UNITED STATES OF AMERICA |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | 2:15-cr-305-GMN-GWF |
| |) | 2:14-cr-353-GMN-GWF |
| SALEUMKIAT KAYARATH, et al. |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

**STIPULATION TO CONTINUE THE HEARING RE REVOCATION OF SUPERVISED
RELEASE SCHEDULED FOR OCTOBER 31 AT 9:00 A.M.**

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by and through Assistant United States Attorney David C. Kiebler, Esq., and Defendant, **SALEUMKIAT KAYARATH**, by and through his attorney Richard A. Schonfeld, Esq., that the Revocation of Supervised Release Hearing currently scheduled for October 31, 2023, in this matter be vacated and continued to a date and time after March 18, 2024, as Defendant has his State court trial on March 11, 2024.

This Stipulation is entered into for the following reasons:

1. The parties have met and conferred and believe that for judicial economy purposes the revocation proceedings should be continued until after March 18, 2024, so that the case of *State of Nevada v. Kayarath* C-23-374424-1, which forms the basis for the highest level violation in the

Petition, can proceed to disposition. That case is scheduled for trial on March 11, 2024;

2. That Counsel for Defendant has been in communication with Assistant United States Attorney David C. Kiebler and there is no objection to the continuance as outlined above;

3. The Defendant consents to the continuance being sought herein;

4. Additionally, denial of this request for continuance would result in a miscarriage of justice;

5. The additional time requested in this Stipulation is excludable in computing the time within which the trial must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Sections 3161(h)(1)(D) and 3161(h)(7)(A) when considering the factors under Title 18, United States Code, Sections 3161(h)(7)(B)(I) and 3161(h)(7)(B)(iv);

DATED this ____ day of October, 2023.

UNITED STATES ATTORNEY

CHESNOFF & SCHONFELD

/s/ *David C. Kiebler*

/s/ *Richard A. Schonfeld*

DAVID C. KIEBLER, AUSA

RICHARD A. SCHONFELD, ESQ.

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Attorney for Plaintiff

Attorney for Defendant, Saleumkiat Kayarath

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FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

Having considered the Stipulation of the Parties, and good cause being shown, the Court hereby finds and Orders as follows:

1. The parties have met and conferred and believe that for judicial economy purposes the revocation proceedings should be continued until after March 18, 2024, so that the case of *State of Nevada v. Kayarath C-23-374424-1*, which forms the basis for the highest level violation in the Petition, can proceed to disposition. That case is scheduled for trial on March 11, 2024;

2. That Counsel for Defendant has been in communication with Assistant United States Attorney David C. Kiebler and there is no objection to the continuance as outlined above;

3. The Defendant consents to the continuance being sought herein;

4. Additionally, denial of this request for continuance would result in a miscarriage of justice;

5. The additional time requested in this Stipulation is excludable in computing the time within which the trial must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Sections 3161(h)(1)(D) and 3161(h)(7)(A) when considering the factors under Title 18, United States Code, Sections 3161(h)(7)(B)(I) and 3161(h)(7)(B)(iv);


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ORDER

IT IS THEREFORE ORDERED that the Revocation of Supervised Release Hearing currently scheduled for October 31, 2023, at the hour of 9:00 a.m. be continued to April 2, 2024, at 11:00 a.m.

Dated this 30 day of October, 2023.

Submitted by:



Gloria M. Navarro, District Judge
UNITED STATES DISTRICT COURT

/s/ Richard A. Schonfeld

RICHARD A. SCHONFELD, ESQ.

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Attorney for Defendant